PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/663,250 Filing Date TRANSMITTAL September 15, 2000 **FORM** First Named Inventor David G. Matsuura Art Unit 3731 **Examiner Name** Daniel J. Davis (to be used for all correspondence after initial filing) Attorney Docket Number 015US1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC V Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Request for Refund Express Abandonment Request 1. Issue Fee Transmittal 2. Notice of Allowance CD. Number of CD(e)

Informa	ation Disclosure Statement	CD, Number of CD(s)	3. Return Postcard			
		Landscape Table on CD				
Certified Copy of Priority Document(s)		Remarks				
	to Missing Parts/ plete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Name	NuVasive, Inc.					
Signature			·			
Printed name	Jonathan Spangler					
Date	February 2, 2005	Reg.	No. 40,182			

## CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date February 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is soverned by 35 0.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CAY'S TRANE	), Jacob Davis :	3731	<u> </u>
— The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS (O herewith (or previously mailed), a Notice of Allowance (PTOL-85) or NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGI of the Office or upon petition by the applicant. See 37 CFR 1.313 as	R REMAINS) CLOSED in this a tother appropriate communication. HTS. This application is subject	application. If not include on will be mailed in due o	ed course. THIS: "
1. X This communication is responsive to an emendment Novem	nber 12, 2004.		
2. A The allowed claim(s) is/are 1-15.			
3. The drawings filed on are accepted by the Examiner.			
<ol> <li>Acknowledgment is made of a claim for foreign priority under</li> <li>a) ☐ All b) ☐ Some* c) ☐ None of the:</li> </ol>	er 35 U.S.C. § 118(a)-(d) or (f).		
1. Certified copies of the priority documents have be	een received		et '
<ol><li>Certified copies of the priority documents have be</li></ol>	een received in Application No.	·	
<ol><li>Coples of the certified copies of the priority documents.</li></ol>	ments have been received in thi	is national stage applicat	ion from the
International Bureau (PCT Rule 17.2(a)).			
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" of noted below. Failure to timely comply will result in ABANDONMENTHIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		ly complying with the req	uirements
<ol> <li>A SUBSTITUTE OATH OR DECLARATION must be submitte INFORMAL PATENT APPLICATION (PTO-152) which gives</li> </ol>			OTICE OF
6. X CORRECTED DRAWINGS ( as "replacement sheets") must b	e submitted.		
(a) M Including changes required by the Notice of Draftsperson	's Patent Drawing Review (PT	O-948) attached	
1) Thereto or 2) to Paper No./Mail Date 9/20/02.			
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ldentifying Indicia such as the application number (see 37 CFR 1.84 each sheet. Replacement sheet(s) should be labeled as such in the			back) of
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1. Notice of References Cited (PTO-892)		Patent Application (PTO	-152)
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<ol> <li>Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date</li> </ol>		dment/Comment	
4.   Examiner's Comment Regarding Requirement for Deposit	8. Examiner's Staten	nent of Reasons for Allov	vance
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